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10 Attorneys for Defendant GIUSEPPE PENZATO

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 GIUSEPPE PENZATO and
18 KESIA PENZATO,

19 Defendant.

CASE NO. CR-12-0089 EMC (EDL)

**STIPULATION AND [PROPOSED]
ORDER APPROVING DEFENDANTS'
TRAVEL TO ORANGE COUNTY
BETWEEN MAY 24, 2013 AND
MAY 27, 2013**

20 **STIPULATION**

21 On May 22, 2013, this Court sentenced defendants Giuseppe and Kesia Penzato to 5-year
22 terms of probation. The Court further directed the defendants to abide by the standard conditions
23 of probation that have been adopted by this Court. One such condition is that a defendant "shall
24 not leave the judicial district without permission of the court or probation officer."

25 As undersigned counsel noted at the sentencing hearing, Mr. and Mrs. Penzato have plans
26 to travel with their children to visit family in the Los Angeles area over the Memorial Day
27 holiday. More specifically, the Penzatos wish to drive to Laguna Beach, in Orange County, on
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1 Friday, May 24, and return on Monday, May 27. These plans were made several weeks ago, well
2 before the sentencing hearing was continued to May 22.

3 Immediately following imposition of sentence, the defendants self-reported to the
4 Probation Office to advise the duty officer that they had been placed on probation. Upon
5 informing the duty officer¹ of their travel plans, the duty officer advised defendants (and
6 undersigned defense counsel) that a court order authorizing the travel would be necessary because
7 of the immediacy of the Penzatos' planned departure. The duty officer presented Mr. and Mrs.
8 Penzato with forms to complete concerning their travel plans and graciously offered to process the
9 forms on an expedited basis if and when a court order was issued.

10 As stated on the record at the sentencing hearing, the government does not oppose the
11 proposed travel to and from Orange County. Accordingly, the parties hereby agree and stipulate
12 that Mr. and Mrs. Penzato should be permitted to travel from the Northern District of California to
13 the Central District of California – specifically, to Orange County – between May 24, 2013 and
14 May 27, 2013. The parties further agree and stipulate that Mr. and Mrs. Penzato shall provide all
15 information requested by Probation concerning their itinerary and travel plans and shall not leave
16 the Northern District until authorized to do so by the Probation Office.

17 IT IS SO STIPULATED.

18
19 DATED: May 22, 2013

/s/ Josh Cohen

NANCI CLARENCE

JOSH COHEN

Attorneys for GIUSEPPE PENZATO

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¹ The duty officer will not be the officer assigned to supervise the defendants on a
continuing basis. A permanent officer will be assigned once the Judgment is executed.

1 DATED: May 22, 2013

/s/ Gail Shifman

GAIL SHIFMAN

Attorney for KESIA PENZATO

4 DATED: May 22, 2013

/s/ Owen Martikan

OWEN MARTIKAN

Assistant United States Attorney

8 **ORDER**

9 By stipulation of the parties, and for good cause shown, it is hereby ordered that
10 defendants Giuseppe Penzato and Kesia Penzato shall be permitted to travel from the Northern
11 District of California to the Central District of California – specifically, to Orange County –
12 between May 24, 2013 and May 27, 2013. It is further ordered that Mr. and Mrs. Penzato shall
13 provide all information requested by the Probation Office concerning their itinerary and travel
14 plans, and shall not leave the Northern District until authorized to do so by the Probation Office.

15 IT IS SO ORDERED.

16
17 DATED: 5/23, 2013

18 EDWARD M. CHEN
19 UNITED STATES ATTORNEY

